

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

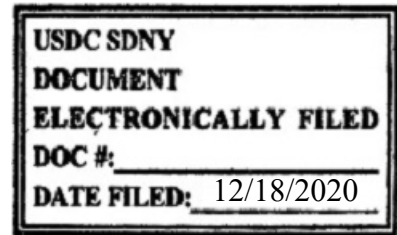
CHAMPION FOODS, INC.,

Plaintiff,

-against-

EATON & VAN WINKLE, LLP, et al.,

Defendants.



20-CV-2991 (VM) (BCM)

**ORDER SCHEDULING
CONTINUED CASE
MANAGEMENT CONFERENCE**

BARBARA MOSES, United States Magistrate Judge.

The Court having left open certain discovery and pre-trial deadlines in contemplation of a potential early settlement, *see* Initial Case Management Order (Dkt. No. 23), which has not occurred, it is hereby **ORDERED** that a continued case management conference in accordance with Fed. R. Civ. P. 16 will be held on **February 2, 2021, at 10:00 a.m., via teleconference**. At that time parties should dial **(888) 557-8511** and enter the access code: **7746387**. **Please treat the teleconference as you would treat a public court appearance. If a conference or hearing in another matter is ongoing, please be silent (mute your line) until your case is called.** At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).

It is further **ORDERED** that counsel shall meet and confer remotely (*e.g.*, by telephone or videoconference) in accordance with Fed. R. Civ. P. 26(f) no later than 14 days prior to the continued case management conference. No later than one week (seven calendar days) prior to the conference, the parties shall file a Pre-Conference Statement, via ECF, signed by counsel for all parties. The Statement, which will constitute the written report required by Fed. R. Civ. P. 26(f)(2), shall contain the following information:

1. The date of the conference and appearances for the parties, including the names of the individual attorneys who will attend, their law firms, addresses, and telephone numbers, and the party or parties represented. The Court expects each party's principal trial attorney to attend the conference.

2. Whether any motions are contemplated with respect to the pleadings as they then exist and, if so, the basis of such motions and a proposed briefing schedule.
3. A proposed continued discovery schedule including:
 - a. A date by which all fact depositions will be completed, including the names (if known) or descriptions of persons expected to be deposed;
 - b. A date for the close of all fact discovery;
 - c. Dates by which each party's expert report(s) or other expert disclosure, and any responding reports, will be supplied to the adversary;
 - d. A date for the close of all discovery, including expert depositions.
4. Any proposed limitations to be placed on discovery, including protective or confidentiality orders. The parties may (but are not required to) use the Model Protective Order found on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.
5. Any anticipated discovery issues that may warrant early attention from the Court (including ESI protocols, litigation holds, and other issues relating to the preservation, retrieval and/or production of electronically stored information).
6. A date, approximately 30 days prior to the close of fact discovery, for a status conference with the Court.
7. A date for the filing of pre-motion conference requests regarding summary judgment.
8. The anticipated length of trial and whether a jury has been requested.
9. Whether the parties wish to consent to trial before the designated magistrate judge.

To the extent the parties are in disagreement concerning any portion of the Pre-Conference Statement, they may submit separate proposals as to such portion, *without argument*.

Dated: New York, New York
December 18, 2020

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge